

6.0 Replacement/Reimbursement and Restoration

6.1 Documentation Procedure for Contaminated Items 6-2

6.2 Third-party Appraisal 6-5

6.3 Restoration 6-5

6.4 Post-Decontamination/Restoration Documentation 6-5

6.5 Cost Recovery Letter 6-8

6.1 Documentation Procedure for Contaminated Items

After all mercury-contaminated items are bagged and placed outside of the home, a detailed inventory should be compiled. The inventory should include a description of each item, the condition of each item, and pertinent measurements that may affect the reimbursement for the cost to the item. Include mercury vapor readings for each contaminated bag to document that the items are mercury-contaminated. Photograph Nos. 6-1 and 6-2 show the documentation of mercury-contaminated items. An example of a “Contaminated Items Documentation Log” is provided on the following page.

After the items are inventoried, photograph and/or video document all items. Write the address of the residence on a clipboard and include it in the photograph (Photograph Nos. 6-3 and 6-4). Place the developed pictures in a photo album in the order written on the detailed description form to allow a third-party appraiser to easily match each picture to its detailed description.

Photograph No. 6-1



Documentation of contaminated clothing.

Photograph No. 6-2



Documentation of contaminated mattresses.

Contaminated Items Documentation Log

Mercury Site
City, County, Ohio

Address:	
Description of Items	Hg Level (µg/m³ or ng/m³)

Description of Items	Hg Level (µg/m³ or ng/m³)
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[illegible][illegible]

Photograph No. 6-3



Documentation of contaminated clothing.

Photograph No. 6-4



Documentation of a mercury-contaminated mattress.

6.2 Third-Party Appraisal

If U.S. EPA agrees to replace contaminated household items, a third party appraiser should be hired to value the mercury-contaminated items. Appraisers charge either flat fees or hourly rates. Determine whether the ARC or local health department can fund reimbursements for these items. At past sites, the ARC has agreed to replace “essential items” such as washing machines, mattresses, and clothes.

6.3 Restoration

If U.S. EPA agrees to restore a residence following a removal, the restoration phase begins when the residential home has been properly decontaminated; post-decontamination air sampling is completed; and a public health agency has determined that air levels are appropriate for residents to reoccupy the home.

Begin the restoration phase by reviewing START pre-decontamination videos. Note any special considerations identified during the decontamination process. List all items to be restored in each residence. A restoration subcontractor should conduct a pre-restoration inspection of each residential yard or home to inspect the condition of the structure and utilities, and to prepare an estimate of the total cost to restore the yard, carpet, linoleum and/or floor tile to its condition prior to contamination. The OSC reviews, modifies if necessary, and approves the estimate prior to initiating any restoration work. Residential restoration should return each house to its condition prior to decontamination and would repair any damage caused by the decontamination process (Photograph No. 6-5).

Some local governments have resources to fund the restoration of areas that require excavation during removal activities (Photograph No. 6-6).

6.4 Post-Decontamination/Restoration Documentation

Using the same video tape that was recorded to document the pre-decontamination condition of the residence, document the condition of the residence after the U.S. EPA ERRS contractor has completed removal and decontamination activities (Photograph No. 6-7). Details such as windows, light fixtures, and even the condition of plaster and sheetrock should be documented. A detailed video will help avoid potential disputes about the condition of the residence following decontamination.

NOTE: The Post-Decontamination Team Leader (START) should use a Post-Decontamination Plan checklist to verify the completion of work. The completed checklist should be kept with the site files and any deviation from the plan should be noted in writing on the Post-Decontamination Plan checklist. An example of a Post-Decontamination Checklist is provided on page 6-7. In addition, remember that house keys must be tracked and returned to the command post on a daily basis

Photograph No. 6-5



View of replacement carpet in a home that was contaminated with mercury.

Photograph No. 6-6



View of a city-funded restoration of an alley that U.S. EPA excavated due to mercury contamination.

Post-Decontamination Team

Address: _____

Date: _____

Time Started/Ended: _____

_____ Analytical received and below the ATSDR action level of $1.0 \mu\text{g}/\text{m}^3$

_____ Obtain house key from Command Post lock box and U-haul boxes from ERRS. Obtain initial predocumentation video and inventory sheets

_____ Post-decontamination team unpack indoor “clean” bags into boxes. Leave filled boxes on floor.

_____ Gather used “clean” bags from house for disposal at Command Post rolloff boxes

_____ Utilizing initial pre-documentation video, post-document all rooms in house and outdoor areas

_____ Photodocument and provide a detailed inventory of contaminated items (in bags located on back porch or back of house); less than or equal to 4 items per photo. If a mattress is contaminated, measure the mattress. Provide good details on the items. For example, one (1) twin mattress measuring 6 feet by 4 feet by 8 inches; one (1) pair of boys Levi jeans size medium. Put items back into the bags once completed.



_____ Call ERRS to transfer bagged contaminated items to Command Post rolloff boxes

_____ Inform OSC of completion of post-documentation of house

_____ Return house key, video tape, and inventory log to Command Post

_____ Forward copy of contaminated item log and photolog to Local Health Department (START)

6.5 Cost Recovery Letter

	<p>UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION 5 EMERGENCY RESPONSE BRANCH 9311 GROH ROAD, ROOM 216 GROSSE ILE, MI 48138-1697</p>
<p>May 8, 2000</p>	<p>REPLY TO ATTENTION OF:</p>
<p>Mr. Steven J. Williams Supervising Attorney UAW-Ford Legal Services Plan 898 South Telegraph Road Monroe, Michigan 48161</p>	
<p>Dear Mr. Williams:</p>	
<p>This letter will confirm our previous discussions concerning the United States Environmental Protection Agency's (U.S. EPA's) practice at residential homes with mercury spills. U.S. EPA has the legal authority to recover its cleanup costs from the owners of sites where it performs Superfund cleanups, subject to certain limited defenses. However, U.S. EPA has generally exercised its enforcement discretion not to seek response costs from the owners of residential mercury sites where those homeowners cooperate with U.S. EPA's cleanup efforts. U.S. EPA has taken this approach due to various policy reasons and due to the assumption that generally homeowners are unable to bear those costs.</p>	
<p>I cannot make any promises concerning future enforcement decisions and I do not have authority to commit the Agency concerning its future enforcement decisions. I can, however, tell you that I am not aware of the U.S. EPA seeking cost recovery from homeowners at any residential mercury spills.</p>	
<p>Sincerely yours,</p>	
	
<p>Jason H. El-Zein, Chief Response Section 1</p>	
<p>cc: Partap C. Lall, U.S. EPA Tom Krueger, U.S. EPA</p>	
<p>Printed on Recycled Paper.</p>	

7.0 Reoccupation

7.1	De-list Letter from U.S. EPA	7-2
7.2	De-list Letter from Local Health Department	7-2
7.3	Assisting Residents Reoccupy Homes	7-2